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DEPT FOR T, VCI AND EUR/PRA  
DOE FOR NNSA/NA-24  
CIA FOR WINPAC  
JCS FOR J5/DDGSA  
SECDEF FOR OSD(P)/STRATCAP  
NAVY FOR CNO-N5JA AND DIRSSP  
AIRFORCE FOR HQ USAF/ASX AND ASXP  
DTRA FOR OP-OS OP-OSA AND DIRECTOR  
NSC FOR LOOK  
DIA FOR LEA

E.O. 12958: DECL: 12/12/2019

TAGS: KACT MARR PARM PREL RS US START

SUBJECT: START FOLLOW-ON NEGOTIATIONS, GENEVA  
(SFO-GVA-VII): (U) MEMORANDUM OF UNDERSTANDING WORKING  
GROUP MEETING, DECEMBER 2, 2009

Classified By: A/S Rose E. Gottemoeller, United States  
START Negotiator. Reasons: 1.4(b) and (d).

11. (U) This is SFO-GVA-VII-083.

12. (U) Meeting Date: December 2, 2009  
Time: 10:30 a.m. - 1:00 p.m.  
Place: Russian Mission, Geneva

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SUMMARY  
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13. (S) The Memorandum of Understanding (MOU) Working Group  
met with their Russian counterparts at the Russian Mission on  
December 2, 2009. This was the seventh meeting of this  
session and the fourteenth meeting overall. The sides  
discussed counting rules and their affect on the MOU, their  
respective positions on when data for the MOU would first be  
exchanged, and clarified positions on annexes. While the  
sides were able to clarify their positions on some issues,  
particularly on the exchange of data, most outstanding issues  
were left unresolved, pending movement at the political  
level. End Summary.

14. (S) SUBJECT SUMMARY: Counting Rules and Numbers of  
Strategic Delivery Vehicles; When MOU Data Would First Be  
Exchanged; Provisional Application; Documents to Be Exchanged  
at Signature; New U.S. Counting Rules; and Discussion of the  
MOU; Discussion of the Annexes; Further Discussion of  
Counting Rules; and Russian Facilities

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COUNTING RULES AND NUMBERS  
OF STRATEGIC DELIVERY VEHICLES  
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¶ 15. (S) Mr. Trout began by stating that the U.S. side had discussed accepting the Russian-proposed counting rules, but that such acceptance was contingent on Russia agreeing to a limit on non-deployed launchers of ICBMs and SLBMs. Russia, he noted, had resisted this limit and queried whether this remained their position. Gen Poznikhir replied that the sides did not have enough time to discuss this separate limit. For instance, he raised, would heavy bombers be included under such a ceiling? For such complex issues, the Russian side would need to consult with Moscow.

¶ 16. (S) In any case, he continued, it would be more logical to talk about general limits on both deployed and non-deployed items. He said the U.S. proposal was 700 deployed launchers of ICBMs and SLBMs and heavy bombers, with a limit of 150 non-deployed launchers. But, he continued, it would be more logical to set a consolidated limit of 850 on deployed and non-deployed launchers of ICBMs, SLBMs, and on heavy bombers. Under this rubric, each side could determine the composition of its own force. He then asked whether the Parties had enough time to discuss these issues. Trout responded that they might indeed have time. Poznikhir then pointed out that he had been laying out the delegation's view, and that they were of the opinion that it was unreasonable to introduce such a limit into the negotiations at such a late stage. Their proposal therefore remained that

of the package proposal of November 28, 650-700 strategic delivery vehicles. He qualified his statement by saying that if there were more time the sides could discuss other options, but otherwise the Russian position still held.

¶ 17. (S) Poznikhir, returning to warhead accountability for heavy bombers, asked why the United States had determined that three warheads per heavy bomber was the appropriate number. Trout responded that the U.S. side had arrived at three by assessing the number of nuclear ALCMs at each U.S. airbase that had heavy bombers for nuclear armaments. Given that the U.S. side had dropped its proposal to inspect weapons storage areas (WSA), the United States believed three was the appropriate attribution level. Poznikhir retorted that the Russian side's proposal for an attribution of one warhead for each heavy bomber was a hold over from START. Why, he queried, should the attribution number not be five or two or ten rather than three? Trout restated the U.S. rationale regarding the number of nuclear ALCMs at air bases. Poznikhir noted that the Russians had moved towards the U.S. position on counting rules by counting the number of warheads on heavy bombers, but they did not comprehend the U.S. logic for three. Trout said the U.S. delegation needed to present a realistic number to Congress, and, if the warhead attribution was zero or one, Congress would not believe the number to be serious. Poznikhir questioned how the U.S. side had derived the attributed number for the Russian side, and that attributing three warheads would itself be misleading to Congress. He also asked whether the United States would be comfortable with a warhead ceiling of 1600 given an attribution level of three warheads for each heavy bomber, which Trout confirmed.

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WHEN MOU DATA WOULD FIRST BE EXCHANGED  
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¶ 18. (S) Trout asked whether the Russian position remained that the first exchange of data for the MOU would take place 45 days after entry-into-force (EIF), which Poznikhir confirmed. Trout explained that would not be satisfactory to the U.S. side because Congress would demand actual data during the ratification deliberations. Trout noted that Gen Orlov had earlier proposed that the sides exchange data 45 days after signature. Poznikhir countered that ratification

might not occur, and suggested that the sides exchange only aggregate data on central limits and the categories of data at signature and populate the database only after EIF.

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PROVISIONAL APPLICATION  
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¶ 19. (S) Trout explained that the U.S. understanding was Russia would provisionally apply the treaty once signed. Would provisional application include notifications and visits? Poznikhir replied that provisional application would not require exchange of data or notifications. With mutual consent, he continued, the Parties could carry out exhibitions of existing items. He stated that the Russian side had legal obligations to conduct exhibitions under provisional application, but there would be no obligation to exchange data.

¶ 10. (S) Trout queried whether such exhibitions would include new types. Poznikhir responded that only existing, not new, types would be included, stating that the Russian side had no new types. He offered that the U.S. side could look again at the RS-12M or the RS-12M, Variant 2 if the Russian side could look at the Minuteman III. Trout asked, What about the RS-24? Poznikhir said that if they had it, the United States could see it. But, Trout insisted, Gen Solovtsov, the Russian Strategic Forces Commander, had stated that the RS-24 would be deployed in December after the expiration of START. Poznikhir then jocularly noted that Solovtsov had "perhaps said something wrong" and had been replaced by Gen Shvaichenko. Trout then pointed out that it was probable the RS-24 would become operational before the EIF of a new treaty, and, in light of that, asked whether it would be subject to exhibition. Poznikhir responded that exhibition of the RS-24 would be carried out in accordance with the new treaty.

¶ 11. (S) Trout queried whether there would be movement notifications exchanged during provisional application. Poznikhir replied that there were no such requirements in the current draft for provisional application. Would, Trout asked, there be any inspections under provisional application? Poznikhir joked that the two sides should take a break from each other for a while, and rhetorically asked how such inspections could be conducted without established Tier 3 procedures.

¶ 12. (S) Trout stated that the U.S. position was different. The United States had thought using data current as of treaty signature, but he acknowledged the difficulty of synchronizing such data. Therefore, the U.S. proposal was to use START data, current as of July 1, slightly modified to match the categories in the new treaty and that would be exchanged at signature. Forty-five days after signature the Parties would exchange data current as of the date of signing. He added that no warhead data would be exchanged until after EIF. This regime would support provisional application of notifications and inspections. Trout noted that Amb Antonov had said that inspections and data exchanges would be possible under provisional application. Poznikhir asked for clarification about the U.S. proposal, and Trout clarified. Poznikhir then stated he would report the position to his Head of Delegation.

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DOCUMENTS TO BE EXCHANGED AT SIGNATURE  
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¶ 13. (S) Trout then suggested that the titles of annexes might need to be changed, since the United States wanted to make the annex categories part of the Protocol. If this was done, the document the Presidents would sign would include all of the categories of data for the MOU. Poznikhir asked for clarification, and Trout said he would return to the issue later after having consulted with U.S. lawyers. He

re-emphasized the concern that the document signed by the U.S. President must contain real data. A discussion regarding the structure and format of the data ensued, after which LT Lobner queried whether the Russians insisted on their President signing actual data. Poznikhir repeated that

the Russian position was to provide numbers on the aggregate central limits at the time of signature, with the remaining information introduced after EIF.

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NEW U.S. COUNTING RULES  
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¶14. (S) Turning to Section I of the MOU, Poznikhir proposed removing the U.S. brackets around "Non-deployed Launchers of ICBMs and SLBM"; "Non-deployed ICBMs, non-deployed SLBMs and non-deployed heavy bombers"; and "Deployed Launchers of ICBMs and SLBMs," to reflect U.S. acceptance of Russia's counting rules as, he claimed, A/S Gottemoeller had authorized. Trout clarified that the United States could only accept Russian counting rules if Russia accepted a separate limit on non-deployed launchers of ICBMs and SLBMs. Poznikhir commented that all other groups had dropped the brackets. Trout responded that if other working groups had removed such brackets then that was done in error. Poznikhir said he would agree to retain the brackets in the MOU for the time being.

¶15. (S) Poznikhir also argued for dropping the separate limit on non-deployed mobile launchers of ICBMs in Section II of the MOU. Why, he asked, should these be singled out if there was to be a category for non-deployed launchers of ICBMs and SLBMs. The same held, he contended, for non-deployed ICBM launchers at test ranges. Trout responded that the United States was still pushing for a separate limit on non-deployed mobile launchers. A discussion then ensued on Section II of the MOU and whether it should include specific sub-limit information. Trout agreed to think about the matter, and also noted that the United States had dropped the category of mobile training launchers.

¶16. (S) Poznikhir asked whether the working group could agree to the removal of "nuclear" in the context of referring to warheads throughout the MOU. Trout agreed, but clarified that it would apply only to warheads on ICBMs and SLBMs. A discussion ensued regarding the phrasing of the aggregate limit on warheads, with Trout stating that the word "attributed" might need to precede the reference to heavy bombers therein, but that this issue was under discussion. The sides agreed to remove references to "nuclear" warheads on ICBMs and SLBMs throughout the MOU, but would discuss at a later date how to address heavy bombers.

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DISCUSSION OF THE MOU  
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¶17. (S) Poznikhir then turned to the MOU. He first read out the new Russian proposal for the chapeau to the MOU, which included some minor text changes. After some quick discussions, Lobner pointed out that the latest Russian text had not been translated, but when the text was available, the United States would have a better understanding of the proposed changes. Poznikhir questioned the inclusion of the clause that stated "each Party was responsible for its own data." He claimed that after consultation with the Russian legal staff, it was determined that the clause was not required. Lobner responded saying he would discuss the issue

with the U.S. legal staff.

¶18. (S) Poznikhir then proposed that the U.S. side delete the requirement to list the number of warheads for individual missiles in launchers. This was, he asserted, "a principled position" of the Russian side. He assured Trout that the

Russian side would not change its position, since this was confidential information pertaining to operational plans. He noted that he was the person responsible for such planning in the Ministry of Defense and, thus, if the U.S. side wanted a treaty by December 5, the United States would drop the demand. He further stated that this was a delegation and General Staff level issue and therefore he could report this position with confidence. Col Pischulov qualified this by saying that the U.S. side would know the loadout when inspectors arrived at bases, and clarified that this would be provided in paper copy. Poznikhir then insisted that the Russians were not going to hide anything, but did not want that kind of information shared in the MOU since it might be published at some point. The Russians "were not ready for that openness."

¶19. (S) Poznikhir said that he would defer the issue of space launch facilities because it was a contentious matter that would complicate the negotiations at this stage.

¶20. (S) He then noted that there was still disagreement on unique identifiers (UIDs), stating that the Russian position was in their November 28 package proposal but that the U.S. side had not accepted it. Because the U.S. side had attempted to pick apart the package, the Russian side viewed UIDs as off the table. If the United States accepted the package, however, then UIDs would be a valid topic of discussion. Trout responded that, in that case, he surmised that there would be no treaty by December 5, 2009. He pointed out that the sides had exchanged packages and the United States would treat the Russian package in the same way as the Russians had treated Washington's package. Poznikhir then jokingly stated that their package proposal was the last package presented.

¶21. (S) Poznikhir then raised whether it was necessary to include a category for SLBMs at test ranges. Trout pointed out that, should a Party have more than one test range, the category would be necessary to distinguish from the aggregate total at all test ranges. Poznikhir argued that Article III was the appropriate place for limits, not the MOU. He then launched into a diatribe against alleged U.S. redundancy and excessive demands for information in the MOU.

¶22. (S) Poznikhir then raised the issue of listing training facilities in the SLBM section. Following a discussion on the matter, Trout agreed to consider further whether to include the category.

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#### DISCUSSION OF THE ANNEXES

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¶23. (S) Trout then proposed dropping the Russian-proposed Section II to Annex B on Heavy Bombers Equipped for Nuclear Armaments other than ALCMs in light of the attribution agreement for heavy bombers. Pischulov pointed out that in

the most recent revision, Russia had deleted the section. Pischulov added, however, that any additional movement depended on U.S. acceptance of Russian counting rules. He contended that, while the Russian side sought compromise, the United States was not moving. Trout responded that the United States had undertaken major shifts in its positions, including dropping the inspection of the weapon storage areas (WSAs), a long-time U.S. position, and had accepted an attribution approach for heavy bombers. Poznikhir then asked for confirmation that the United States had dropped its proposal for inspections of WSAs, and Trout confirmed that he was correct.

¶24. (S) Trout then directed attention to the section on technical data on heavy bombers, and pointed out that, beyond distinguishing features for aircraft, this information was no longer necessary. Poznikhir replied that the Russian inspection experts believed fuller information was necessary. He suggested inviting such inspectors to the next MOU

Working Group meeting, if necessary.

¶25. (S) Trout then turned to Annex C, and argued that this Annex as well was no longer necessary in light of the shift to attribution. Poznikhir queried how the Parties would know whether armaments were nuclear or non-nuclear. A discussion regarding heavy bomber counting rules followed, after which Pischulov stated that the Russian position was to remove Annex C if the United States accepted Russian counting rules.

Trout replied that the United States had accepted the Russian concept of attribution of heavy bomber warheads. Pischulov countered that the attribution number was still at issue, and the Russian side had proposed doing an actual count of loaded nuclear armaments on heavy bombers.

Poznikhir added that it was better to return to the initial Russian position, which actually reflected the bombers' real load. This would also be easier to explain to the Congress, he insisted, and would be consistent with the proposed counting rules for ICBMs and SLBMs. The Russian move to attribution was, he stated, an attempt at compromise. He then once more questioned the logic behind the U.S.-proposed attribution of three weapons for heavy bombers. It was then agreed to leave brackets around Annex C.

¶26. (S) The sides then agreed to drop references to "continuous monitoring" in Categories 1 and 2 of Annex D, but Trout reported that the U.S. side was still deliberating about the U.S. bracketed paragraphs 3 and 4.

¶27. (S) Pischulov then stated that the Russian side would agree to provide two photos of a fixed structure but would delete references in Annex A to fixed structures and support equipment for mobile launchers of ICBMs. Information on mobile launchers themselves would be retained. Trout agreed.

¶28. (S) Pischulov then proposed deleting "version of a type" in Annex A. Lobner and Pischulov engaged in a lengthy discussion about the distinction between "variant" and "version," with the latter specially focused on mobile launchers and associated systems. Despite Russian persistence, the U.S. side deferred the matter to the Definitions Subgroup. Poznikhir pushed the U.S. side to bring to the next meeting a suggestion for what kind of item would fall under this category.

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#### FURTHER DISCUSSION OF COUNTING RULES

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¶29. (S) Poznikhir then queried whether it was likewise necessary to indicate deployed SLBMs under the Conversion or Elimination Facilities heading. Trout responded that the United States had agreed to Russia's proposed counting rules contingent upon Russian agreement to a separate non-deployed launcher limit. Absent such agreement, the United States would continue to hold to its original counting rules. Poznikhir stated he would communicate continuing fundamental disagreement on counting rules to his Head of Delegation. Trout said that was appropriate.

¶30. (S) Poznikhir, stepping back, then addressed the U.S. counting rules and separate limit on non-deployed launchers of ICBMs and SLBMs. He stated the United States was inventing its suspicions regarding a potential build-up capability from non-deployed launchers. He averred that the United States might know the number of Russian ICBMs produced annually and noted that it was "no more than ten." Yet, in order to modernize, he argued, Russia needed "dozens" of missiles. Thus, he contended, during the life of the treaty, Russia would not be able to accumulate non-deployed missiles.

Unlike the United States, Russia actually eliminated ballistic missiles, whereas, he accused, the United States multiplied them. In this light, Russia had more justified suspicions than the United States did.

¶31. (S) He then described that, in order to support a mobile

ICBM complex, Russia required not only the launcher and missile but also a fixed structure and other support equipment. If Russia began building a fixed structure the United States would quickly notice it. Further, he continued, it was impossible to deploy additional mobile systems in basing areas. Nor would Russia base such systems in the "forest." As he put it, "You can't put a launcher in a pig farm." Such systems required special maintenance. For instance, Russia could not put a launch canister in the forest and then expect to use it.

¶32. (S) Why, then, he inquired, did the United States "create" these fears in their minds? Why did the United States think Russia would cheat? Russia, he argued, had not cheated under START. Further, it would be impossible for Russia to do so during the life of the treaty because of economic constraints.

¶33. (S) Poznikhir then speculated if the sides agreed on a limit of 700, would it be better to keep forces on alert or in storage facilities? For him, he said it would be better to put the forces on alert. He urged the U.S. side to be realistic and understand that 700 was quite a high number for Russia. Their initial proposal, he reminded Trout, was 500, but 650 was the number "we insist on."

¶34. (S) Trout then queried whether the Russian position on SDV limits remained 650 or had it shifted to 700? Poznikhir responded that Trout should "forget about the numbers"; their position was 500 but the President had said 650-700.

¶35. (S) Trout then asked why Russia objected to a separate limit on non-deployed launchers if Poznikhir conceded that it would be infeasible for Russia to reach it. Poznikhir deflected the question and insisted that Trout answer his inquiry about why the United States harbored such anxieties about Russia. Trout explained that the United States was concerned with an upload scenario whereby non-deployed launchers could be deployed with spare missiles relatively quickly, shifting the strategic picture. Further, he argued, it was politically desirable to establish restraints both for the international community and for Congress. Poznikhir retorted that it would be best to set a consolidated launcher ceiling of 650. He countered that it would take Russian "years" to shift such a non-deployed capability to deployed forces. For the United States, he argued, the situation was different, since the United States possessed 50 empty Peacekeeper and 50 empty Minuteman III silos with missiles available that could be swiftly inserted into the launchers. Such an upload capability would require much less time to generate than for mobile launchers, he argued.

¶36. (S) Mr. Colby then returned to Poznikhir's point regarding upload scenarios, asking if the Parties had no reason not to trust each other why Russia proposed such stark reductions in U.S. strategic delivery vehicles. Poznikhir rather brusquely responded that first, the sides did not have time for such discussions at this stage and, second, Russia was proposing "real reductions" in strategic offensive arms while the U.S. proposal to reduce deployed warheads was tantamount to "deceiving the world community." (Begin comment: The Russian interpreter used the word "cheating," but Mr. Shkeyrov suggested "deceiving" as a more appropriate translation. End comment.)

¶37. (S) Poznikhir then shifted, asking again whether the sides had the luxury of time for such discussions. He emphasized again that Russia had peaceful intentions, commenting that Russia had no desire to make war with a country as powerful as the United States.

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RUSSIAN FACILITIES  
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¶38. (S) Trout then turned the discussion to the list of Russian facilities that had been provided during a previous

meeting. He noted that Russia had deleted from the MOU the Nerpich'ya SSBN base (Begin comment: Historical base for Russian Typhoon Class SSBNs. End comment.) which had been included in the START database. Pischulov responded that Russia fielded no strategic offensive arms at that facility, so it did not need to be included in the MOU. Trout then asked for the status of space launch facilities, and Pischulov reported that there was still no agreement on the matter since Russia still proposed merging space launch facilities and test ranges so as to make the former inspectable for the purposes of transparency.

¶39. (S) Trout thanked the Russian side for including actual facilities in its proposed MOU for the United States, despite the persistence of disagreements on categories. He asked why the Leninsk Test Range for ICBMs was absent. He noted that although the facility was in Kazakhstan, it was controlled by

Russia and boasted several SS-19s and test silos. Poznikhir responded that Kazakhstan was a third country not party to the new treaty. The silos, he argued, belonged to Kazakhstan and Russia could not include them in the treaty discussions. Russia would, however, provide notifications of movements to and from the facility. Trout insisted nonetheless that given the Russian presence, Leninsk should be included in the MOU.

¶40. (U) Documents provided: None.

¶41. (U) Participants:

U.S.:

Mr. Trout  
Mr. Broshar  
Mr. Colby  
Mr. Coussa  
LT Lobner  
Mr. Shkeyrov (Int)

RUSSIA:

Gen Poznikhir  
Col Pischulov  
Ms. Voldopova  
Col Voloskov  
Ms. Evarovskaya (Int)

¶42. (U) Gottemoeller sends.  
GRIFFITHS